

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	CASE NO. MJ 08-220
	)	
Plaintiff,	)	
	)	
v.	)	
	)	DETENTION ORDER
GUSTAVO ROJO-MELENDEZ,	)	
	)	
Defendant.	)	
_____	)	

Offense charged: Possession with Intent to Distribute Cocaine

Date of Detention Hearing: May 13 , 2008

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant is a United States citizen. He attained his 18th birthday approximately one month ago. He has strong family ties to Mexico, and asserts that he came to the United States

01 in order to obtain a United States passport.

02       2. Defendant does not have a strong work history in this country. He began working  
03 for a close family friend at a lawn care business but stopped coming. He has few financial  
04 resources in this country. He was educated in Mexico. His cousin has been indicted in a related  
05 case.

06       3. The AUSA proffers that the location at which defendant was arrested was a “stash  
07 house”, at which 16 kilos of cocaine and a loaded gun were seized. Case agents alleged 14  
08 observed the defendant on the premises on prior occasions and the defendant’s identification  
09 documents and one kilo of cocaine were found in the bedroom pursuant to a search. When  
10 arrested, the defendant allegedly had cocaine and a large quantity of cash on his possession.

11       4. The defendant poses a risk of nonappearance due to extensive family ties to  
12 Mexico, long term residence in Mexico and limited ties to this District. He poses a risk of danger  
13 due to the nature of the charges.

14       5. There does not appear to be any condition or combination of conditions that will  
15 reasonably assure the defendant’s appearance at future Court hearings while addressing the danger  
16 to other persons or the community.

17 It is therefore ORDERED:

18       (1) Defendant shall be detained pending trial and committed to the custody of the  
19 Attorney General for confinement in a correction facility separate, to the extent  
20 practicable, from persons awaiting or serving sentences or being held in custody  
21 pending appeal;

22       (2) Defendant shall be afforded reasonable opportunity for private consultation with

counsel;

(3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

(4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 13th day of May, 2008.

  
Mary Alice Theiler  
United States Magistrate Judge